



The Surrey Local Pension Board 25 April 2019

Review of Internal Dispute Resolution cases in 2018/19 (Quarter Four)

Recommendation

1. The Board is asked to note the content of this report.

Detail:

Introduction

2. Pursuant to the Local Government Pension Scheme (LGPS) Regulations 2013 (the Regulations) each scheme employer and administering authority must appoint an adjudicator to consider applications regarding the first instance decisions made by the scheme employer or where relevant the administering authority.
3. Under the Scheme of Delegation relating to section 106 agreements, the following officers are nominated to hear stage one and stage two Internal Dispute Resolution (IDRP) appeals:
 - The Acting Section 151 Officer.
 - The Director of Legal and Democratic Services.
 - The Director of People and Development.
 - The Head of Pensions (Pension Fund and Treasury).

Summary of the appeals in 2018/19 (quarter four)

Stage 1 IDRP Determinations relating to complaints from previous quarters

4. There was one determination and one quasi appeal in this category;
 - i. A member who requested a pension estimate shortly before they retired complained about the delay in providing it. The determination apologised for the delay but dismissed the appeal because the member had suffered no detriment.

- ii. A belated appeal was received from a financial services company acting on behalf of a member who transferred out in 2013. The adjudicator declined to hear the appeal because it was out of time but went on to explain that the transfer was completed in full compliance with the regulatory structure in force at the time.

Pensions Ombudsman final determination (1 case)

5. A letter was received from the Pension Ombudsman concerning an “IDRP” relating to a deferred member who wished to transfer out. Although a quotation was initially provided it was swiftly noticed that she was no longer eligible to transfer out because she had left pensionable employment and the GMP element of her pension had been put into payment. The investigating officer pointed out that Surrey Pension Fund did not agree that it was a formal IDRP because no formal application had been received and it had been dealt with under the local resolution (informal) process.

Complaint

6. There was one quasi appeal received during the quarter. A member requested flexible retirement in accordance with their employer’s policy; however, they subsequently complained when the employer requested an estimate to see whether they would have to bear any costs - as required by their published policy. It is more a GDPR complaint than a pensions issue and, although it is not being treated as a formal IDRP, an officer will investigate the case and write a reply addressing the issues raised.

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Sources/background papers: The LGPS Regulations 2013

Ref	Legal requirement	TPR's guidance	How Surrey County Council complies with TPR guidance	Compliant	Action
<p>Governing the scheme</p> <p>Knowledge and understanding required by Pension board members</p> <p>[34 – 60]</p>	<p>A member of the pension board of a public service pension scheme must be conversant with:</p> <ul style="list-style-type: none"> • the rules of the scheme and • any document recording policy about the administration of the scheme which is for the time being adopted in relation to the scheme. <p>A member of a pension board must have knowledge and understanding of:</p> <ul style="list-style-type: none"> • the law relating to pensions, and • any other matters which are prescribed in regulations. <p>The degree of knowledge and understanding required is that appropriate for the purposes of enabling the individual to properly exercise the functions of a member of the pension board²⁴</p>	<p>1. Schemes should establish and maintain policies and arrangements for acquiring and retaining knowledge and understanding [38].</p>	<p>1. The Fund maintains a training policy reflecting the requirements for Knowledge and Understanding. The policy was approved the fund committee in February 2019 and will be reviewed on an annual basis.</p>	<p>Yes</p>	<p>Regularly Update members on upcoming trainings.</p>
		<p>2. Schemes should designate a person to</p>	<p>2. The Pensions Accountant Advisor is responsible for</p>	<p>Yes</p>	

		take responsibility for ensuring that a framework is developed and implemented [38]	maintenance of training policy. However, it is Local Pension Board members' responsibility to establish and maintain their own personal knowledge and understanding.		
		3. Schemes should prepare and keep an updated list of documents and			

Governing the scheme

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